

Tzhone, Stephen

From: Moran, Gloria
Sent: Friday, September 13, 2013 3:27 PM
To: Curt Grisham
Cc: Tzhone, Stephen; Sanchez, Carlos
Subject: RE: Your concerns about Arkwood, Inc. Site - REPLY

Hello Mr. Grisham:

The Region will continue to work closely with you concerning your concerns. To assist us in coordinating our comments for you to the email below from Mr. Rafael Deleon, Acting Director, Office of Enforcement and Compliance Assurance (OECA), EPA, HQ would you please reply to this email with a cc to Stephen Tzhone and Carlos Sanchez with any specific comments/concerns that you believe caused a *"detriment to the meeting purpose caused by the absence of Mrs. Gutierrez,"* an attorney in OECA at EPA HQ.

Thank you,

Gloria Moran

Assistant Regional Counsel (6RC-S)

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U.S. Environmental Protection Agency, Region 6

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moran.gloria-small@epa.gov

From: Curt Grisham [<mailto:grish@me.com>]
Sent: Friday, September 13, 2013 2:26 PM
To: Moran, Gloria; Tzhone, Stephen; Sanchez, Carlos
Subject: Fwd: Your concerns about Arkwood, Inc. Site

Dear Gloria, Steve and Carlos:

I forward this email to you for your information. Can you add anything to my concerns already expressed about the unexpected absence of headquarters OSRE counsel? Please reply if any of you have comments on Mr. Deleon's note below or his questions to me regarding the detriment to the meeting purpose caused by the absence of Mrs. Gutierrez

Begin forwarded message:

From: "DeLeon, Rafael" <DeLeon.Rafael@epa.gov>
Date: September 13, 2013, 14:01:19 CDT
To: "grish@me.com" <grish@me.com>
Cc: "Gutierrez, Barbara" <Gutierrez.Barbara@epa.gov>
Subject: **Your concerns about Arkwood, Inc. Site**

Dear Mr. Grisham:

I understand that you called Larry Starfield's office this morning to express concerns regarding the Arkwood, Inc., site in Boone County, Arkansas. I briefed Mr. Starfield on this matter and he asked me to contact you. He understood that you have already spoken with several senior managers here in the Headquarters Office of Enforcement and Compliance Assurance (OECA)— myself, Ms. Leff, and Mr. Lammie — as well as EPA Region 6 managers. As I shared with you, we would like to better understand your concerns and try to address them.

I understand that your concerns stem from a meeting hosted by the EPA Region 6 Office in Dallas, Texas, on Thursday September 5th from 2:00-4:00 pm, and that you traveled from California to attend that meeting in person. At least 8 EPA Region 6 employees participated in this meeting in person, as well as 2 EPA Headquarters staff by phone. You had been informed that Mrs. Barbara Gutierrez from my Office would also be participating (by telephone) in that meeting, but unfortunately, Mrs. Gutierrez was unexpectedly unable to do so; I apologize that she was unavailable. However, EPA Region 6 is the lead office for this matter, and the key EPA Region 6 personnel were present. EPA Headquarters participates in such discussions, to the extent practicable, in an advisory and support role.

In light of your continued concern about Mrs. Gutierrez's absence from the meeting, Mr. Starfield has asked me and my staff to work with you to identify a path forward. A good first step would be to set up a phone call so that Mrs. Gutierrez and others here at EPA Headquarters can understand your specific concerns, and directly hear any new information that you raised at the September 5th meeting. I am copying Mrs. Gutierrez on this email so that you can contact her directly should you choose to set up such a discussion. We would be interested in hearing how Mrs. Gutierrez's absence affected talks in this case, and how we at Headquarters might be helpful moving forward.

If you have further questions, please contact me at 202-564-5110. Thank you.

Rafael DeLeon, Esq.
Acting Director
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